

Sanctuary resources and qualities, considering the extent to which the conduct of the activity may diminish or enhance Sanctuary resources and qualities, any potential indirect, secondary or cumulative effects of the activity, and the duration of such effects;

(5) The proposed activity will be conducted in a manner compatible with the value of the Sanctuary, considering the extent to which the conduct of the activity may result in conflicts between different users of the Sanctuary, and the duration of such effects;

(6) It is necessary to conduct the proposed activity within the Sanctuary;

(7) The reasonably expected end value of the proposed activity to the furtherance of Sanctuary goals and purposes outweighs any potential adverse effects on Sanctuary resources and qualities from the conduct of the activity; and

(8) Any other factors as the Director deems appropriate.

(d) *Applications.* (1) Applications for permits should be addressed to the Director, Office of National Marine Sanctuaries; ATTN: Superintendent, Cordell Bank National Marine Sanctuary, P.O. Box 159, Olema, CA 94950.

(2) In addition to the information listed in §922.48(b), all applications must include information to be considered by the Director in paragraph (b) and (c) of this section.

(e) The permittee must agree to hold the United States harmless against any claims arising out of the conduct of the permitted activities.

APPENDIX A TO SUBPART K OF PART 922—CORDELL BANK NATIONAL MARINE SANCTUARY BOUNDARY COORDINATES

Coordinates listed in this appendix are unprojected (Geographic Coordinate System) and based on the North American Datum of 1983 (NAD83).

SANCTUARY BOUNDARY COORDINATES

Point ID No.	Latitude	Longitude
1	38.26390	-123.18138
2	38.13219	-123.64265
3	38.11256	-123.63344
4	38.08289	-123.62065
5	38.07451	-123.62162
6	38.06188	-123.61546
7	38.05308	-123.60549
8	38.04614	-123.60611
9	38.03409	-123.59904

SANCTUARY BOUNDARY COORDINATES—  
Continued

Point ID No.	Latitude	Longitude
10	38.02419	-123.59864
11	38.02286	-123.61531
12	38.01987	-123.62450
13	38.01366	-123.62494
14	37.99847	-123.61331
15	37.98678	-123.59988
16	37.97761	-123.58746
17	37.96683	-123.57859
18	37.95528	-123.56199
19	37.94901	-123.54777
20	37.93858	-123.54701
21	37.92288	-123.54360
22	37.90725	-123.53937
23	37.88541	-123.52967
24	37.87637	-123.52192
25	37.86189	-123.52197
26	37.84988	-123.51749
27	37.82296	-123.49290
28	37.81365	-123.47906
29	37.81026	-123.46897
30	37.80094	-123.47313
31	37.79487	-123.46721
32	37.78383	-123.45466
33	37.78109	-123.44694
34	37.77033	-123.43466
35	37.76687	-123.42694
36	37.83480	-123.42579
37	37.90464	-123.38958
38	37.95880	-123.32312
39	37.98947	-123.29615
40	37.99227	-123.14137
41	38.05202	-123.12827
42	38.06505	-123.11711
43	38.07898	-123.10924
44	38.09069	-123.10387
45	38.10215	-123.09804
46	38.12829	-123.08742
47	38.14072	-123.08237
48	38.16576	-123.09207
49	38.21001	-123.11913
50	38.26390	-123.18138

APPENDIX B TO SUBPART K OF PART 922—LINE REPRESENTING THE 50-FATHOM ISOBATH SURROUNDING CORDELL BANK

Coordinates listed in this appendix are unprojected (Geographic Coordinate System) and based on the North American Datum of 1983 (NAD83).

CORDELL BANK FIFTY FATHOM LINE

Point ID No.	Latitude	Longitude
1	37.96034	-123.40371
2	37.96172	-123.42081
3	37.99110	-123.44379
4	38.00406	-123.46443
5	38.01637	-123.46076
6	38.04684	-123.47920
7	38.07106	-123.48754
8	38.07588	-123.47195
9	38.06451	-123.46146
10	38.07123	-123.44467
11	38.04446	-123.40286
12	38.01442	-123.38588

CORDELL BANK FIFTY FATHOM LINE—Continued

Point ID No.	Latitude	Longitude
13 .....	37.98859	- 123.37533
14 .....	37.97071	- 123.38605

**Subpart L—Flower Garden Banks National Marine Sanctuary**

**§ 922.120 Boundary.**

The Flower Garden Banks National Marine Sanctuary (the Sanctuary) consists of three separate areas of ocean waters over and surrounding the East and West Flower Garden Banks and Stetson Bank, and the submerged lands thereunder including the Banks, in the northwestern Gulf of Mexico. The area designated at the East Bank is located approximately 120 nautical miles (nmi) south-southwest of Cameron, Louisiana, and encompasses 19.20 nmi<sup>2</sup>. The area designated at the West Bank is located approximately 110 nmi southeast of Galveston, Texas, and encompasses 22.50 nmi<sup>2</sup>. The area designated at Stetson Bank is located approximately 70 nmi southeast of Galveston, Texas, and encompasses 0.64 nmi<sup>2</sup>. The three areas encompass a total of 42.34 nmi<sup>2</sup> (145.09 square kilometers). The boundary coordinates for each area are listed in appendix A to this subpart.

[65 FR 81178, Dec. 22, 2000]

**§ 922.121 Definitions.**

In addition to those definitions found at § 922.3, the following definition applies to this subpart:

*No-activity zone* means the two geographic areas delineated by the Department of the Interior in stipulations for OCS lease sale 112 over and surrounding the East and West Flower Garden Banks, and the geographic area delineated by the Department of the Interior in stipulations for OCS lease sale 171 over and surrounding Stetson Bank, as areas in which activities associated with exploration for, development of, or production of hydrocarbons are prohibited. The precise aliquot part description of these areas around the East and West Flower Garden Banks are provided in appendix B of this subpart; the no-activity zone around Stetson Bank is defined as the 52 meter

isobath. These particular aliquot part descriptions for the East and West Flower Garden Banks, and the 52 meter isobath around Stetson Bank, define the geographic scope of the “no-activity zones” for purposes of the regulations in this subpart. The descriptions for the East and West Flower Garden Banks no-activity zones are based on the “¼ ¼ ¼” system formerly used by the Department of the Interior, a method that delineates a specific portion of a block rather than the actual underlying isobath.

[65 FR 81178, Dec. 22, 2000]

**§ 922.122 Prohibited or otherwise regulated activities.**

(a) Except as specified in paragraphs (c) through (h) of this section, the following activities are prohibited and thus are unlawful for any person to conduct or to cause to be conducted:

(1) Exploring for, developing, or producing oil, gas or minerals except outside of all no-activity zones and provided all drilling cuttings and drilling fluids are shunted to the seabed through a downpipe that terminates an appropriate distance, but no more than ten meters, from the seabed.

(2)(i) Anchoring any vessel within the Sanctuary.

(ii) Mooring any vessel within the Sanctuary, except that vessels 100 feet (30.48 meters) or less in registered length may moor on a Sanctuary mooring buoy.

(3)(i) Discharging or depositing, from within the boundaries of the Sanctuary, any material or other matter except:

(A) Fish, fish parts, chumming materials or bait used in or resulting from fishing with conventional hook and line gear in the Sanctuary;

(B) Biodegradable effluents incidental to vessel use and generated by marine sanitation devices approved in accordance with section 312 of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1322;

(C) Water generated by routine vessel operations (e.g., cooling water, deck wash down, and graywater as defined by section 312 of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1322) excluding oily wastes from bilge pumping;